

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Gerling and Associates, Inc.,	:	
Plaintiff	:	Civil Action 2:10-cv-1074
v.	:	
Gearhouse Broadcast Pty Ltd,	:	Magistrate Judge Abel
Defendant	:	

**ORDER DENYING MOTION TO STRIKE**

On May 29, 2012, Defendant filed a motion to compel certain discovery responses. (Doc. 30.) On June 21, 2012, Plaintiff filed a memorandum contra. (Doc. 32.)

On July 5, 2012, Defendant filed a motion to strike or, in the alternative, a reply in support of its motion to compel. (Doc. 33.) It stated that, as it filed its motion to compel on May 29, 2012, under S. D. Ohio Civ. R. 7.2(a)(1), Plaintiff's memorandum contra was due twenty-one days after the date of service of the motion, or June 19, 2012. Defendant therefore asserts that Plaintiff's memorandum contra was untimely, and requests that it be struck.

Under Fed. R. Civ. P. 6(d), Plaintiff's memorandum contra was due on June 22, 2012. As it was timely filed, Defendant's motion to strike is **DENIED**.

s/Mark R. Abel  
United States Magistrate Judge